1 2 3 4 5 6 7	ILA C. DEISS, NY SBN 3052909 Assistant United States Attorney 450 Golden Gate Avenue, Box 36055 San Francisco, California 94102 Telephone: (415) 436-7124 FAX: (415) 436-7169	*E-FILED: 10.01.2007*	
8	Attorneys for Defendants		
	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11			
12	DONGBING WANG, HAN LI,) No. C 07-2348 HRL	
13	MINYU WANG,))	
14	Plaintiffs,)) STIPULATION TO VACATE HEARING,	
	v.	OR IN THE ALTERNATIVE,	
15	ALBERTO GONZALES, United States	DEFENDANTS' REQUEST TO APPEARTELEPHONICALLY and	
16	Attorney General, U.S. Department of Justice; MICHAEL CHERTOFF, Secretary of) ALTERNATIVE [PROPOSED] ORDERS)	
17	the Department of Homeland Security; EMILIO T. GONZALEZ, Director of United		
	States Citizenship and Immigration Services; CHRISTINA POULOS, Director of California))	
19	Service Center, United States Citizenship and Immigration Services;		
20	ROBERT S. MUELLER III, Director of the Federal Bureau of Investigation,		
21			
22	Defendants.	Date: October 2, 2007 Time: 10:00 a.m.	
23	Subject to the Court's approval, the Parties hereby stipulate to vacate the hearing scheduled for		
24	October 2, 2007 at 10:00 a.m. on Plaintiff's Motion for Summary Judgment. The Parties submit		
25	that the issues are clearly addressed in the briefs, and the Court can decide the motion on the		
26	papers.		
27	In the alternative, Defendants hereby request, subject to the approval to of the Court, to appear		
28	telephonically for the Plaintiff's Motion for Summary Judgment scheduled for October 2, 2007 at		
	Stip to Vacate Hearing C07-2348 HRL 1		

1	10:00 a.m. Counsel for Defendants has several responses to motions due this week, and thus		
2	needs the time that would be lost in transit between San Francisco and San Jose to prepare the		
3	3 responses.		
4	4 IT IS SO STIPULATED.		
5	5 Dated: October 1, 2007 Res	spectfully submitted,	
6		OTT N. SCHOOLS	
7		ited States Attorney	
8	8	/0/	
9		A C. DEISS sistant United States Attorney	
10	O Att	corneys for Defendants	
11	Dated: October 1, 2007	/s/	
12	$\mathbf{Z} \parallel$	STIN FOK corney for Plaintiffs	
13	(PROPOSED) ORDER		
14	The hearing scheduled for October 2, 2007 in the above-captioned matter is hereby vacated.		
15	The Court will decide the pending motion on the papers. IT IS SO ORDERED.		
16	6		
17	7 Dated: October <u>1</u> , 2007		
18	8 H	WARD R. LLOYD Ited States Magistrate Court	
19			
20	ALTERNATIVE [PROPOSED] ORDER		
21	Counsel for Defendant may appear by telephone at the October 2, 2007 10:00 a.m. hearing. IT		
22			
23	Dated: October , 2007		
24	4 HC Un	OWARD R. LLOYD ited States Magistrate Court	
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26			
27			
28	8		
	Stip to Vacate Hearing		

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